

Serial No. **10/691,615**
Amdt. dated September 27, 2006
Reply to Office Action of June 30, 2006

Docket No. **P-0605**

REMARKS

By the present response, Applicant has canceled claims 2, 6 and 7 without disclaimer. Further, Applicant has amended claims 1, 3, 5, 10 and 12 to further clarify the invention. Claims 1, 3-5 and 8-12 remain pending in the present application. Reconsideration and withdrawal of the outstanding rejections and allowance of the present application are respectfully requested in view of the above amendments and the following remarks.

In the Office Action, claims 1, 3-5, 8 and 9 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,917,865 (Kopmeiners et al.). Claims 2, 6, 7 and 10-12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kopmeiners et al. in view of U.S. Patent No. 5,471,651 (Wilson).

35 U.S.C. § 102 Rejections

Claims 1, 3-5, 8 and 9 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Kopmeiners et al. Applicant respectfully traverses these rejections.

Kopmeiners et al. discloses digital automatic gain control employing two-stage gain determination that includes an analyzing circuit for determining a magnitude of a gain signal for use in a automatic gain control that receives a digital signal from a digital circuit having a given dynamic range and develops therefrom the gain signal to be applied to a variable gain amplifier. The analyzing circuit includes a peak sampling subcircuit and a gain signal adjustment subcircuit. The gain signal adjustment subcircuit operates in either a search mode or a direct step mode.

The analyzing circuit thereby applies a two-stage gain determination process to the digital signal to approach the target average peak value.

Regarding claims 1 and 5, Applicant submits that Kopmeiners et al. does not disclose or suggest the limitations in the combination of each of these claims of, *inter alia*, where the extracting the maximum absolute value comprises storing absolute values of the reception signal and extracting the maximum absolute value among the stored absolute values. The Examiner admits in the Office Action on page 4, second paragraph that Kopmeiners et al. does not disclose or suggest these limitations. However, the Examiner asserts that Wilson discloses these limitations and, therefore, this reference will be discussed here.

Wilson discloses an audio signal that has its dynamic range compressed by a system which first samples a block of the audio signal, typically several seconds long. The level of the signal in this block is analyzed and an ideal signal level is calculated for the block. A gain control signal has been derived which adjusts the gain applied to that block towards that required to give the calculated ideal signal level.

Applicant submits that neither Kopmeiners et al. nor Wilson, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of claims 1 and 5 of the present application. The Examiner appears to assert that Wilson makes up for the deficiency in Kopmeiners et al. and discloses storing absolute values of the reception signal and extracting the maximum absolute value among the stored absolute values, in Fig. 3

with the store box 10, and col. 6, lines 30-59. However, Wilson merely discloses that a store is coupled to the input and stores a block of data received by the input. Wilson discloses storing the input audio data immediately after it is received and before the peak envelope detector 12.

In contrast, the limitations in the claims of the present application relate to extracting a maximum absolute value of a reception signal, where the extracting comprises storing absolute values of the reception signal and extracting the maximum absolute value among the stored absolute values. Neither Wilson nor Kopmeiners et al. disclose extracting maximum absolute values among stored absolute values, as recited in the claims of the present application.

Regarding claims 3, 4, 8 and 9, Applicant submits that these claims are dependent on one of independent claims 1 and 5 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.

Accordingly, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of each of claims 1, 3-5, 8 and 9 of the present application. Applicant respectfully requests that these rejections be withdrawn and that these claims be allowed.

35 U.S.C. § 103 Rejections

Claims 2, 6, 7 and 10-12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kopmeiners et al. in view of Wilson. Claims 2, 6 and 7 have been canceled

therefore rendering these rejections moot. Applicant respectfully traverses these rejections as to the remaining pending claims.

Regarding claim 10, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of this claim of, *inter alia*, a buffer for storing the absolute values of the reception signal, which have been calculated by the amplitude controller, or a controller for extracting a maximum absolute value among the absolute value stored at the buffer. As noted previously, the Examiner admits that Kopmeiners et al. does not disclose or suggest these limitations in the claims of the present application. Further, as has been noted previously, Wilson does not overcome the deficiencies of Kopmeiners et al. and does not disclose or suggest these limitations.

Regarding claims 11 and 12, Applicant submits that these claims are dependent on independent claim 10 and, therefore, are patentable at least for the same reasons noted previously regarding this independent claim.

Accordingly, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of each of claims 10-12 of the present application. Applicant respectfully requests that these rejections be withdrawn and that these claims be allowed.

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CONCLUSION

In view of the foregoing amendments and remarks, Applicant submits that claims 1, 3-5 and 8-12 are now in consideration for allowance. Accordingly, early allowance of such claims is respectfully requested. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Frederick D. Bailey, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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